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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,198	07/14/2003	Abayomi I. Owei	CEDE 2111	6367

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SENNIGER POWERS LEAVITT AND ROEDEL
ONE METROPOLITAN SQUARE
16TH FLOOR
ST LOUIS, MO 63102

EXAMINER

GREEN, ANTHONY J

ART UNIT

PAPER NUMBER

1755

DATE MAILED: 02/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/619,198

Applicant(s)

OWEI ET AL.

Examiner

Anthony J. Green

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-61 is/are pending in the application.
- 4a) Of the above claim(s) 59-61 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 10-17, 26-43, 45-47, 50-52 and 54-58 is/are rejected.
- 7) ☒ Claim(s) 2-9, 18-25, 44, 48, 49 and 53 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/20/04
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Election/Restrictions

1. Applicant's election with traverse of Group I, claims 1-58 in the reply filed on 12/20/04 is acknowledged. The traversal is on the ground(s) that the composition of the Group I claims is specifically stated to be ""for enhancing adhesion....printed circuit board" and accordingly the product of Group I cannot be used in a materially different process from that of claims 59-61". This is not found persuasive because the limitation of "for enhancing adhesion....printed circuit board" is a future use and adds such adds little or no patentable weight to the claim. Further applicant has not shown that the composition cannot be used in another materially different process.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferrier (US Patent No. 5,869,130) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which

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applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are met by the reference.

4. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferrier et al (US Patent No. 6,020,029) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in

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the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are met by the reference.

5. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Ferrier (US Patent No. 6,146,701) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are met by the reference.

Claim Rejections - 35 USC § 103

6. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
7. Claims 45-47, 50-52 and 54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Price et al (US Patent No. 5,800,859) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the instant claims are not rendered obvious by the reference as the instant specification shows that unexpected results are achieved when using a particular anionic or nonionic surfactant. It is the position of the examiner that applicants arguments are not commensurate in scope with the claims. The specification only shows that unexpected results are achieved using particular anionic and nonionic surfactants not every anionic or nonionic surfactant known to man. Applicant has not shown that every anionic or nonionic surfactant produces unexpected results. It is the position of the examiner that it would have been obvious to one of ordinary skill in the art to substitute other types of surfactants (such as an anionic or nonionic) for the surfactant of the reference as the reference broadly discloses the addition of a surfactant with a cationic one being preferred. Accordingly since a cationic is preferred but not required it would appear obvious that one may use any type of surfactant without producing any unexpected results. That is, just because the reference teaches the preferred use of a cationic surfactant does not preclude the use of an anionic or nonionic surfactant. As for the particularly claimed types of anionic and nonionic

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surfactants, applicants choices are well known types of surfactants and accordingly their use is obvious. Accordingly the instant claims are obvious over the reference.

8. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier (US Patent No. 6,162,503) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are rendered obvious by the reference.

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9. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier (US Patent No. 6,383,272) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are rendered obvious by the reference.

10. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier (US Patent No. 6,419,784) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the

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composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are rendered obvious by the reference.

11. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier (US Patent No. 6,503,566) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this

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alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are rendered obvious by the reference.

12. Claims 1, 10-17 and 26-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ferrier (US Patent No. 6,554,948) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Ferrier's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an

oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are rendered obvious by the reference.

13. Claims 1, 10-17, 26-43 and 55-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Montano et al (US Patent No. 6,752,878) for the reasons set forth in the previous office action and which are herein incorporated by reference.

Applicant argues that the claims are not met by the reference as the reference does not state "an alcohol which is effective to increase copper-loading in the composition" and "the alcohols are so markedly different from the alcohols which applicants demonstrate to be "effective to increase copper-loading" that there is no sound technical basis to conclude Montano's alcohols might inherently have this characteristic". To this argument the examiner respectfully disagrees. The reference clearly teaches polyethylene glycols as examples of the alcohols useable and this alcohol is recited in applicants specification as an example of the alcohols useable in the invention so accordingly it is believed that this alcohol would inherently be "effective to increase copper-loading" since it is the same. That is, it is the position of the examiner that "polyethylene glycol" would be an example of a trihydric alcohol or an oligomeric trihydric alcohol absent evidence showing otherwise. Accordingly the instant claims are rendered obvious by the reference.

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Allowable Subject Matter

14. Claims 2-9, 18-25, 44, 48-49 and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Information Disclosure Statement

15. The declaration submitted by applicants has been considered.

Conclusion

16. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

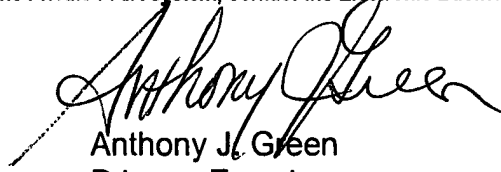
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony J. Green whose telephone number is 571-272-1367. The examiner can normally be reached on Monday-Thursday 6:30-4:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark L. Bell can be reached on 571-272-1362. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Anthony J. Green
Primary Examiner
Art Unit 1755

ajg
February 22, 2005